

**LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY**  
1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (804) 8459011

**EDWARD H. McCANN**  
Executive Director

December 14, 2001

Council Meeting of  
January 15, 2002

Agenda Item: 10

Mrs. Patricia W. Kost  
Clerk of City Council  
P.O. Box 60  
Lynchburg, Virginia 24505

Dear Mrs. Kost:

The Authority staff has been working with the City's Inspections Division to address a blighted property located at 108 **Westover** Boulevard. This property has been vacant for an extended period of time and was cited for several violations by the city's inspections department April 2000. Our staff has also inspected the property noting code violations and deficiencies resulting in its blighted condition. The owner of the property was notified of the deficiencies under section 36-19.5 of the Code of Virginia, but has failed to correct the deterioration of his property.

The above Code section provides that an authority may acquire blighted property after a public hearing and approval of such acquisition by the governing body of the city within which the property is located. This is to request that City Council hold a public hearing to consider the request of the Lynchburg Redevelopment and Housing Authority for authorization to acquire this property pursuant to the above referenced code. Enclosed is a photocopy of the resolution adopted by the Commissioners of the Authority, the notice sent to the owner and a proposed resolution for City Council's consideration.

Please let me know if you need further information.

Very truly yours,

Edward H. McCann

enclosures

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**RECEIVED**  
DEC 17 2001  
COUNCIL/MANAGER  
OFFICES

## RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 108 Westover Boulevard (i) has deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that such structure is likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structure will contribute to the blighting or deterioration of the area immediately surrounding 108 Westover Boulevard; (iv) that the owner of 108 Westover Boulevard was given 60 days notice by certified mail of the condition of the structure and has failed to correct the deterioration; and (v) that 108 Westover Boulevard lies within the Lynchburg Redevelopment and Housing Authority's area of operation.

NOW, THEREFORE BE IT RESOLVED That as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby authorize the Lynchburg Redevelopment and Housing Authority to acquire the property located at 108 Westover Boulevard by purchase, lease, gift or through the exercise of eminent domain for the purpose of development and redevelopment, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 108 Westover Boulevard;

BE IT FURTHER RESOLVED That the Lynchburg Redevelopment and Housing Authority is hereby designated and authorized to act on the City's behalf in the acquisition of the property at 108 Westover Boulevard.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

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**Resolution Authorizing the Executive Director to seek approval of City Council for the acquisition of the property at 108 Westover Boulevard, Lynchburg, Virginia pursuant to Code section 36-19.5**

**WHEREAS**, the Commissioners of the Lynchburg Redevelopment and Housing Authority (the Authority) have undertaken the exercise of additional powers granted to the Authority pursuant to section 36-19.5 of the Code of Virginia, as amended; and

**WHEREAS**, one of the major objectives to be achieved in exercising powers granted to the Authority under Code section 36-19.5 is to prevent single-family or multi-family dwelling units within the Authority's area of operation from contributing to the blighting or deterioration of the area immediately surrounding such dwelling unit as a result of the continued deterioration of such dwelling unit and further, to prevent the deterioration of such dwelling unit to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; and

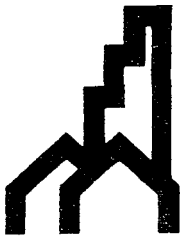
**WHEREAS**, the Commissioners of the Authority have made a finding that the dwelling unit located at 108 **Westover** Boulevard, Lynchburg, Virginia (the property), (i) has deteriorated to such extent as to constitute a **serious** and growing menace to the public health, safety and **welfare**; (ii) that the property is likely to continue to deteriorate unless corrected; and (iii) that the continued deterioration of the property may contribute to the blighting or deterioration of the area immediately surrounding the dwelling **unit**; and

**WHEREAS**, the Commissioners of the Authority have made a further **finding** that, unless the property is brought into **full** compliance with the applicable building codes of the City of Lynchburg, Virginia, the acquisition of the property pursuant to Code section 36-19.5 **(B)** will further the objectives of, and is necessary for, the purposes of the Authority; and

**WHEREAS**, as a prerequisite to the acquisition of the property by the City of Lynchburg, on behalf of the Authority, in accordance with Code section **36-19.5(B)**, the required notice has been given to the landowner to correct the deterioration of the dwelling unit; and

**WHEREAS**, the owner has failed to correct the deteriorated condition of the dwelling **unit**.

**THEREFORE, BE IT RESOLVED**, by the Commissioners of the Authority that the Executive Director of the Authority, in consultation with the Authority's legal counsel, is hereby authorized and directed to request that the City Council of the City of Lynchburg hold a public hearing to consider the Authority's request to acquire the property at 108 **Westover** Boulevard, Lynchburg, Virginia, in accordance with the provisions of Code section 36-19.5, for the purpose of development and redevelopment, including, but not limited to, renovation, rehabilitation and disposition of the property.



## LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY

1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (804) 845-9011

September 19, 2001

EDWARD H. McCANN  
Executive Director

Mr. Mark A. Moreland  
203 Westover Boulevard  
Lynchburg, Virginia 24501

Re: Parcel 030-07-014  
108 Westover Boulevard

Dear Mr. Moreland:

In a cooperative effort with the City of Lynchburg, the Board of Commissioners of the Lynchburg Redevelopment and Housing Authority has directed our staff to identify residential properties that are deteriorated, that are likely to continue to deteriorate unless corrected, and that may contribute to the blighting or deterioration of the surrounding area. We have been made aware of the above property which city records show to be owned by you. We observed the dwelling on April 4, 2001 and on September 19, 2001, and found the following conditions:

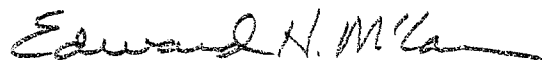
1. Paint peeling on siding, wood trim, soffits and fascia boards.
2. Windows broken
3. Down spouts missing.
4. Deteriorated siding and trim
5. Deteriorated soffits.
4. Mortar missing from front porch foundation.
7. Windows boarded.
8. Electric service wiring not secure.
9. Deteriorated porch flooring.
10. Weeds and grass overgrown.
11. Trash and debris in yard.

We are requesting that these deficiencies and any other non-compliance with the local building code be corrected within sixty (60) days of receipt of this notice, pursuant to Section 36-19.5 of the Code of Virginia. If these corrections are not completed within that time, the Authority Commissioners may request Lynchburg City Council to conduct a public hearing to determine the appropriateness of authorizing the Authority to acquire the property for the purpose of development and redevelopment, including but not limited to, renovation, rehabilitation, and disposition of the property.

Mr. Moreland  
September 19, 2001  
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Please contact Connie Snively of our staff at (434) 845-9011 if you wish to discuss this

Very truly yours,

A handwritten signature in cursive script, appearing to read "Edward H. McCauley". The signature is written in dark ink and has a long, horizontal flourish extending to the right.

certified mail - return receipt

cc: Henry Yankowski